

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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**ANDREW ZITIN,**

**Plaintiff,**

**v.**

**CITY OF PHILADELPHIA, et al.,**

**Defendants**

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**CIVIL ACTION**

**No.: 09-1754**

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**ORDER**

**AND NOW**, this            day of            , 2010, upon consideration of Plaintiff's Motion to Deem Admissions Admitted, and the response thereto, it is hereby **ORDERED and DECREED** that said Motion is **DENIED**.

BY THE COURT:

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**JOYNER,    J.**

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**DEFENDANTS' RESPONSE IN OPPOSITION TO PLAINTIFF'S MOTION TO DEEM  
ADMISSIONS ADMITTED**

Defendants, by and through their attorney, Niya L. Blackwell, Esquire, hereby file their response to Plaintiff's Motion to Deem Admissions Admitted as follows:

1. On May 4, 2010, Plaintiff served Requests for Admissions, Sets I and II upon Defendants.
2. By letter to Plaintiff, dated June 11, 2010, Defendants requested additional time to complete the (121) Interrogatories.
3. On June 16, 2010, The Court extended the deadline for responses to Plaintiff's Request for Admissions until July 12, 2010.
4. On July 12, 2010, Defendants served responses to Plaintiff's Requests for Admissions upon Plaintiff, by first class mail.

WHEREFORE, Defendants, respectfully request that this Honorable Court Deny Plaintiff's Motion to Deem Admissions Admitted at Moot.

Date: July 13, 2010

/s/ Niya L. Blackwell  
NIYA L. BLACKWELL  
Deputy City Solicitor

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**CERTIFICATE OF SERVICE**

I hereby certify that on this date, a true and correct copy of Defendants' Motion in Opposition to Plaintiff's Motion to Deem Admissions Admitted was filed via ECF and is available for viewing and downloading via the ECF system. I further certify that I directed that a copy of the same should be served upon counsel for the plaintiff, via first class mail, postage prepaid, as follows:

**TO:                   L. Kenneth Choitner, Esquire  
                      1818 Market Street  
                      Suite 3620  
                      Philadelphia, PA 19103**

/s/ Niya L. Blackwell  
NIYA L. BLACKWELL  
Deputy City Solicitor

DATE: July 13, 2010